

Appl. No. : 10/009,575
Filed : August 6, 2002

REMARKS

In response to the Office Action mailed July 3, 2007, Applicant respectfully requests reconsideration of the application in view of the remarks set forth below.

Discussion of Claim Rejections Under 35 U.S.C. § 103(a)

The Examiner has rejected Claims 19-36 under 35 U.S.C. § 103(a) as being unpatentable over Olivier (U.S. Patent No. 6,480,885) and Ogilvie (U.S. Patent No. 6,480,885). Applicant respectfully submits that all pending claims are allowable over the prior art of record as discussed below.

In the previous Office Action response submitted August 21, 2006, Applicant argued that neither Olivier nor Ogilvie, having prior art status in pertinent part, teaches or suggests “notifying the recipient if the message is unapproved” or a similar feature thereto recited in all independent claims. Applicant specifically argued that Ogilvie, having prior art status in pertinent part, neither teaches nor suggests the above-recited feature of the claimed invention.

In this Office Action, the Examiner asserted that the provisional applications 60/14,138 (hereinafter ‘138 application) and 60/101,517 (hereinafter ‘517 application) of Ogilvie teach the feature of “notifying the recipient if the message is unapproved” of the claimed invention. The Examiner cited, as the basis of the assertion, page 4, lines 5-15 of the ‘138 application and page 10, lines 1-2 and page 12, lines 1-4 of the ‘517 application. Applicant respectfully disagrees for the following reasons.

The ‘138 application, at page 4, lines 5-15, teaches that an intervening third party can override an email self-removal property, and this override may be silent or the sender or recipient or both are automatically notified. Applicant respectfully submits that this notification is not caused by the message being unapproved for the recipient. Instead, the notification is the result of an intervention by a party who has overridden a self-removal setting made by the sender of the email.

The ‘517 application, at page 10, lines 1-2 and page 12, lines 1-4 teaches, that an email does not delete itself after it is viewed by the recipient, but includes code to manage subsequent deletion. Applicant respectfully submits that this is irrelevant to “notifying the

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recipient if the message is approved.” The ‘517 application does not deal with or even contemplate the problems associated with spam or unsolicited emails.

In view of the above, Applicant respectfully submits that the cited portions of the ‘138 and ‘517 applications do not teach “notifying the recipient if the message is unapproved” of the claimed invention. Thus, Applicant respectfully submits that all pending claims are allowable over the prior art of record.

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CONCLUSION

In view of Applicant's foregoing remarks, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any remaining concerns which might prevent the prompt allowance of the application, the Examiner is respectfully invited to contact the undersigned at the telephone number appearing below.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 10/2/02

By: 

John M. Carson
Registration No. 34,303
Attorney of Record
Customer No. 20,995
(619) 687-8632

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